

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Clarence Gibbs,)	C/A No.: 1:13-3382-TMC
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Robert M. Stevenson, Warden,)	
)	
Respondent.)	
)	

Petitioner is a state inmate who, proceeding *pro se*, filed a habeas petition pursuant to 28 U.S.C. § 2254. By order issued on December 11, 2013, the court allowed Petitioner an opportunity to submit the necessary information and paperwork to bring the case into proper form for evaluation and possible service of process. (ECF No. 4.) Specifically, the order directed Petitioner to pay the five-dollar filing fee for a habeas corpus action, or submit an application to proceed *in forma pauperis*. *Id.* at 1. The order warned Petitioner that failure to provide the necessary information within the specified time period would subject the case to dismissal. *Id.* Petitioner did not respond to the order and the time for response has lapsed. As Petitioner has failed to prosecute this case and has failed to comply with an order of this court, the case is **dismissed without prejudice** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

IT IS SO ORDERED.

January 17, 2014
Anderson, South Carolina

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.